

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTIETH LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 11, 2010

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Ruchti. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Stephen Grammer,
Page.

Approval of Journal

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Fifty-ninth Legislative Day and recommend
that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

March 10, 2010

Mr. Speaker:

I transmit herewith [S 1352](#), as amended, which has passed
the Senate.

WOOD, Secretary

[S 1352](#), as amended, was filed for first reading.

March 10, 2010

Mr. Speaker:

I return herewith [H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#),
and [H 514](#) which have passed the Senate.

WOOD, Secretary

[H 472](#), [H 409](#), [H 410](#), [H 468](#), [H 481](#), [H 483](#), and [H 514](#) were
referred to the Judiciary, Rules, and Administration Committee
for enrolling.

Report of Standing Committees

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have printed [HCR 61](#),

[HCR 62](#), [HCR 63](#), [H 653](#), [H 654](#), [H 655](#), [H 656](#), [H 657](#), and
[H 658](#).

CLARK, Chairman

[HCR 61](#), [HCR 63](#), and [H 657](#) were filed for second reading.

[HCR 62](#), [H 653](#), and [H 656](#) were referred to the Health and
Welfare Committee.

[H 654](#) and [H 655](#) were referred to the Environment, Energy,
and Technology Committee.

[H 658](#) was referred to the Revenue and Taxation Committee.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have enrolled [H 391](#), as
amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 391](#),
as amended, and, when so signed, ordered it transmitted to the
Senate for the signature of the President.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have transmitted enrolled
[HCR 39](#) and [HCR 45](#) to the Secretary of State at 1:12 p.m., as
of this date, March 10, 2010.

CLARK, Chairman

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS,
report that we have had under consideration [HCR 59](#) and
recommend that it do pass.

TRAIL, Chairman

[HCR 59](#) was filed for second reading.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY,
AND TECHNOLOGY, report that we have had under
consideration [S 1354](#) and recommend that it do pass.

RAYBOULD, Chairman

[S 1354](#) was filed for second reading.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that
we have had under consideration [H 640](#) and report it back
with amendments attached to be placed on General Orders for
consideration.

NONINI, Chairman

[H 640](#) was placed on General Orders for consideration.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report
that we have had under consideration [S 1347](#), [S 1353](#), and
[SJM 105](#) and recommend that they do pass.

LOERTSCHER, Chairman

[S 1347](#), [S 1353](#), and [SJM 105](#) were filed for second reading.

March 11, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 645](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 645](#) was placed on General Orders for consideration.

March 10, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1313](#) and [S 1314](#) and recommend that they do pass.

BLOCK, Chairman

[S 1313](#) and [S 1314](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE JOINT MEMORIAL NO. 14 BY EDUCATION COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the interstate motor carrier industry is an essential component of the economy of the western United States and the state of Idaho; and

WHEREAS, the interstate motor carrier industry is made up overwhelmingly of small businesses; and

WHEREAS, for the past several years, certain states have been seeking to subject interstate motor carriers based in other states to the enforcement and collection of state income and other business taxes, even though such carriers have no real property, fixed assets or employees in those states; and

WHEREAS, the collection of such taxes by such states involves a recent shift in income tax enforcement by those states, some of which have sought many years back taxes from interstate carriers based in Western States Transportation Alliance member states; and

WHEREAS, the burden of such unwarranted tax collection and heavy associated compliance costs are particularly significant for these interstate motor carriers in these times of economic distress.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho congressional delegation is urged to support a change in federal law through the amendment of the Business Activity Tax Simplification Act of 2009, H.R.1083, or its successor, to restrict a state's taxation of interstate motor carriers to those carriers that:

- (1) Are incorporated in that state;
- (2) Have their principal place of business in that state;
- (3) Have real property in that state; or
- (4) Have obtained intrastate operating authority in that state.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[HJM 14](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 659 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND CLARIFYING THE APPROPRIATION FOR THE PORTFOLIO INVESTMENT PROGRAM.

HOUSE BILL NO. 660 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE PAYMENT FOR STATEWIDE MANAGEMENT AND HUMAN RESOURCES TRAINING TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION.

HOUSE BILL NO. 661 BY APPROPRIATIONS COMMITTEE AN ACT

REDUCING THE APPROPRIATION TO THE STATE CONTROLLER FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2010; AMENDING SECTIONS 3 AND 4, CHAPTER 231, LAWS OF 2009; APPROPRIATING MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE RECOVERY OF STATE CONTROLLER SERVICE COSTS TO THE GENERAL FUND; REAPPROPRIATING UNEXPENDED AND UNENCUMBERED BALANCES OF MONEYS FOR THE COMPUTER SERVICES CENTER; EXEMPTING THE STATE CONTROLLER FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS FOR FISCAL YEAR 2011; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 662 BY EDUCATION COMMITTEE AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1303, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 33-1304, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-3402, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 33-3407, IDAHO CODE, TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL BE A GOVERNMENTAL ENTITY,

TO PROVIDE THAT THE BUREAU, ITS EMPLOYEES AND ITS BOARD OF DIRECTORS ARE SUBJECT TO CERTAIN PROVISIONS, AND TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL BE CONSIDERED A STATE DEPARTMENT FOR CERTAIN PURPOSES; AMENDING SECTION 33-3408, IDAHO CODE, TO PROVIDE THAT THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND SHALL SUBMIT ITS ANNUAL APPROPRIATION REQUEST IN THE BUDGET REQUEST OF THE EDUCATIONAL SUPPORT PROGRAM; AND AMENDING SECTION 33-3411, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY REQUEST MONEYS FROM THE PERMANENT BUILDING FUND FOR THE CONSTRUCTION AND MAINTENANCE OF BUILDINGS ON CERTAIN LAND USED BY THE IDAHO BUREAU OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND.

**HOUSE BILL NO. 663
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2106, IDAHO CODE, AS AMENDED BY SECTION 50, CHAPTER 341, LAWS OF 2009, TO PROVIDE REQUIREMENTS FOR ESTABLISHING COMMUNITY COLLEGE SUBDISTRICTS, TO REVISE THE COMMUNITY COLLEGE TRUSTEE ELECTION DATE, TO PROVIDE REQUIREMENTS FOR FILLING CERTAIN VACANT POSITIONS, TO PROVIDE THAT CERTAIN INCUMBENT TRUSTEES MAY SERVE UNTIL HIS OR HER TERM EXPIRES; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 664
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1212, IDAHO CODE, TO REVISE PROCEDURES REGARDING UNPAID WARRANTS. TO ALLOW INTER-FUND TRANSFERS UNDER CERTAIN CIRCUMSTANCES AND FOLLOWING CERTAIN REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 665
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3029A, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR FIFTY PERCENT OF THE AGGREGATE CHARITABLE CONTRIBUTIONS MADE BY A TAXPAYER TO A NONPROFIT CORPORATION, FUND, FOUNDATION, TRUST OR ASSOCIATION WHICH IS ORGANIZED AND OPERATED EXCLUSIVELY FOR THE BENEFIT OF ELEMENTARY, SECONDARY OR HIGHER EDUCATION INSTITUTIONS LOCATED WITHIN THE STATE OF IDAHO, OFFICIALLY RECOGNIZED AND DESIGNATED AS ANY SUCH ELEMENTARY, SECONDARY OR HIGHER EDUCATION INSTITUTIONS SOLE DESIGNATED SUPPORTING ORGANIZATION, AND QUALIFIED TO BE EXEMPT FROM FEDERAL TAXATION UNDER THE TERMS OF SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 659](#), [H 660](#), [H 661](#), [H 662](#), [H 663](#), [H 664](#), and [H 665](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1352](#), as amended, by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 647](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 648](#) and [H 649](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 652](#), [H 605](#), and [H 613](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1312](#) and [S 1371](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1286](#), [S 1328](#), and [S 1342](#), by Resources and Environment Committee, were read the second time by title and filed for third reading.

[H 636](#), by Education Committee, was read the second time by title and filed for third reading.

[S 1392](#), [S 1393](#), [S 1394](#), [S 1395](#), and [S 1396](#), by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

[H 641](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall [H 641](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 59.

NAYS – Andrus, Barrett, Boyle, Hart, Harwood, Nonini, Schaefer, Shepherd(08), Wood(35). Total – 9.

Absent and excused – Black, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 641](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 642](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 642](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – Schaefer, Wood(35). Total – 2.

Absent and excused – Ruchti. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 642](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 630](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 630](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Ruchti. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 630](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 617](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Saylor to open debate.

The question being, "Shall [H 617](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Durst, Ruchti. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 617](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 534](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 534](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Bayer, Nonini, Shepherd(08). Total – 3.

Absent and excused – Anderson, Durst, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 534](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 624](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall [H 624](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Durst, Ruchti. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 624](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 583](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall [H 583](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Chadderdon, Clark, Collins,

Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 53.

NAYS – Boe, Burgoyne, Chavez, Chew, Cronin, Durst, Higgins, Jaquet, Killen, King, Pasley-Stuart, Pence, Ringo, Rusche, Saylor, Smith(30). Total – 16.

Absent and excused – Ruchti. Total – 1.
Total – 70.

Whereupon the Speaker declared that [H 583](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 524](#), as amended, retain its place on the Third Reading Calendar until Monday, March 15, 2010. There being no objection, it was so ordered.

[H 593](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [H 593](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Ruchti, Schaefer. Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 593](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 596](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 596](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Ruchti. Total – 1.
Total – 70.

Whereupon the Speaker declared that [H 596](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:15 p.m. Seconded by Mr. Bedke. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS Afternoon Session

The House reconvened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Ringo, Ruchti, Simpson. Total – 3.
Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

[H 537](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [H 537](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bilbao, Block, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Saylor, Shepherd(02), Shepherd(08), Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – None.

Absent and excused – Bayer, Bell, Black, Boyle, Eskridge, Hart, Ringo, Roberts, Ruchti, Schaefer, Shirley, Simpson, Smith(24). Total – 13.

Total – 70.

Whereupon the Speaker declared that [H 537](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 433](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 433](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott,

Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Durst, Patrick, Rusche. Total – 3.

Absent and excused – Eskridge, Hart, Ringo, Roberts, Ruchti, Shirley, Simpson, Smith(24). Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 433](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 602](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall [H 602](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Hart, Kren, Ringo, Roberts, Ruchti, Shirley, Simpson. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 602](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 556](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall [H 556](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Durst. Total – 1.

Absent and excused – Crane, Cronin, Kren, Ringo, Roberts, Ruchti, Shirley, Simpson. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 556](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 604](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart and Mrs. Higgins to open debate.

The question being, "Shall [H 604](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Cronin, Kren, Ringo, Ruchti, Shirley, Simpson. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 604](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 548](#), as amended, retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 608](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 608](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Crane, Cronin, Kren, Labrador, Ringo, Ruchti, Shirley, Simpson. Total – 8.

Total – 70.

Whereupon the Speaker declared that [H 608](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1388](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [S 1388](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 60.

NAYS – Clark, Schaefer. Total – 2.

Absent and excused – Crane, Cronin, Kren, Labrador, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1388](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1296](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

The question being, "Shall [S 1296](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 61.

NAYS – None.

Absent and excused – Crane, Cronin, Henderson, Kren, Labrador, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 9.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1296](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1338](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Boe to open debate.

The question being, "Shall [S 1338](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – None.

Absent and excused – Crane, Cronin, Henderson, Kren, Labrador, Lake, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 11.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1338](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1316](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Killen to open debate.

The question being, "Shall [S 1316](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Loertscher, Luker, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 59.

NAYS – Marriott. Total – 1.

Absent and excused – Cronin, Henderson, Kren, Lake, Nonini, Palmer, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 10.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1316](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1332](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall [S 1332](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1332](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1282](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1282](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1282](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1283](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Saylor to open debate.

The question being, "Shall [S 1283](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1283](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1284](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hagedorn to open debate.

The question being, "Shall [S 1284](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 62.

NAYS – None.

Absent and excused – Cronin, Henderson, Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 8.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1284](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1285](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall [S 1285](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Roberts, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35). Total – 64.

NAYS – None.

Absent and excused – Kren, Nonini, Ringo, Ruchti, Simpson, Mr. Speaker. Total – 6.

Total – 70.

Whereupon the Speaker Pro Tem declared that [S 1285](#) passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 10 a.m., Friday, March 12, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:06 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk